

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of

Review of the Commission's)	
Rules and Policies)	MM Docket No. 00-39
Affecting the Conversion)	
to Digital Television)	

COMMENTS OF WRNN-TV

WRNN-TV Associates Limited Partnership ("WRNN-TV"), licensee of WRNN-TV, Kingston, New York, submits these comments in the Commission's *Biennial Review* of the implementation of digital television ("DTV") service. In this proceeding, the Commission requests comment on whether to impose new replication or service contour obligations on DTV operations. WRNN-TV submits that a new regulatory mandate to replicate service to specific geographic areas or populations outside of a station's community of license would not further the Commission's goal of promoting the transition to DTV service. Nevertheless, should the Commission decide to impose additional service rules, it should not adopt any requirement more onerous than the new city-grade service contours proposed in the *Biennial Review*.¹

¹ WRNN-TV has filed a petition for rulemaking to change its DTV channel, which remains pending. In light of the Commission's determination that specific channel allotment or change requests are outside the scope of this proceeding, WRNN-TV limits its comments to the potential adverse impact of the proposed replication or city-grade standards on DTV broadcast services generally.

Discussion

Especially in this nascent stage in the development of DTV, maximum flexibility is needed to ensure that broadcasters can design, construct and implement DTV systems to serve the needs of their individual communities and, ultimately, to succeed economically. To this end, the Commission should not impose unnecessary restrictions on a station's ability to make technical changes to its facilities.

The Commission has recognized that the ability to make service changes and improvements will promote the launch of DTV service. Thus, the Commission's rules permit stations to "maximize" their facilities, provided interference criteria are satisfied. The Commission also allows stations to relocate transmitters and to seek alternative channels for DTV operations so that service can be tailored to the particular needs of the market.² Broadcasters already have invested heavily in designing and implementing DTV service in reliance on these sensible provisions, which shows that the current rules are achieving the objective of encouraging the early roll-out of digital television.

Maintaining flexibility in the design of DTV systems would help ensure that the timely build-out of DTV will continue. As the Commission has noted, "early DTV broadcasts would reach very few viewers and present negligible opportunity for revenue to offset the DTV construction costs that were expected to exceed one million dollars per station."³ Thus, to contain costs the Commission allows stations to operate

² See 47 C.F.R. § 73.623.

³ *Biennial Review* at ¶ 17.

at least on a temporary basis with minimal facilities, provided service to the community of license is maintained. WRNN-TV submits that by enabling a station to reach its market in the best way practicable, the Commission will encourage broadcasters to bring new DTV service as promptly as possible to the *maximum* number of viewers.

In contrast to the obvious benefits achieved through flexible regulation, the imposition of new service rules could impose serious burdens and frustrate a station's ability to make facilities changes that are necessary to address a variety of foreseeable and real-world obstacles to the initiation of a viable DTV service. For example, a station may lose access to a transmitter site, or be unable to co-locate the DTV antenna with its existing NTSC operations. A station also may determine that operation on an alternative channel or from a new transmitter site would reduce interference to or received from other stations, or improve overall service. To ensure that these issues can be adequately and promptly remedied, the Commission should not needlessly impose geographic restrictions on facilities changes that otherwise comply with current rules.

To the extent that the Commission adopts new service rules, however, a station should not have to comply with a city-grade standard that is more burdensome than proposed in the *Biennial Review*. Specifically, the Commission proposed a set of field-strength values that corresponds to the principal community contour requirements currently imposed on NTSC stations.⁴ Thus, stations operating on DTV Channels 14-

⁴ As the Commission recognized, however, the quality of a NTSC picture degrades as the signal fades over distance. Hence, it is appropriate to impose a higher level of service over a community of license in the analog environment. In contrast, DTV service quality is essentially the same everywhere the signal can be received. See

69 would be required to provide a 57 dBu signal to its community of license. WRNN-TV submits that this standard would be more than sufficient to ensure that a high level of service would be delivered to a station's licensed community and to a substantial area beyond the community. For this reason, a requirement to replicate a specified percentage of the area or population within a station's Grade B contour would be unnecessary and, as the Commission recognized, very difficult to implement.⁵

Conclusion

The Commission should stay the course with its policy of flexible implementation of DTV service. Thus, the Commission should refrain from imposing new service contour requirements so that broadcasters can implement systems that stand the best chance of success. To the extent any new city-grade rules are adopted, they should not be more restrictive than currently proposed.

Respectfully submitted,

WRNN-TV ASSOCIATES
LIMITED PARTNERSHIP

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Biennial Review at ¶¶ 27-28.

⁵ *Id.* at ¶ 18.